

CLASSIFICATION OFFICE DECISION

Title of publication: 5OPpNQE.jpg

Other known title(s): Not stated

OFLC ref: 1700120.016

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Wellington District Court

Classification:	Objectionable.
------------------------	----------------

Descriptive note: None

Display conditions: None

Date of entry in Register: 17 May 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

Summary of reasons for decision:

The image file is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes the sexual exploitation of children. It depicts a naked girl who has been raped and the image is therefore a record of sexual abuse. Because of this the file also promotes and supports sexual violence. The only purpose of the file is the sexual arousal and gratification of those with a sexual interest in young girls. Material such as this presents children as sexually available and appropriate subjects for adult sexual attention and encourages and legitimises such an interest. The digital format allows the image to be easily disseminated among likeminded people. This classification interferes with the right to freedom of expression as provided by the New Zealand Bill of Rights Act 1990. However, the classification is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. This reflects the concern of a free and democratic society to protect children from exploitation and harm.